

Appl. No. 10/728,552  
Response Dated August 26, 2009  
Reply to Office Action of June 29, 2009

Docket No.: P17478/1020P17478  
Examiner: N. Juntima  
TC/A.U. 2416

### **REMARKS**

Applicant respectfully requests entry and consideration of the above amendments even though presented after a final rejection. Applicant submits that the amendments do not raise new issues or require a new search. The amendments incorporate the allowable subject matter of claim 8 into independent claims 1, 10 and 15.

### **Summary**

Claims 1, 2, 6, 9-12, 14, 15 and 19 are pending in this application. Claim 8 is canceled. Favorable reconsideration and allowance of the pending claims are requested.

### **Examiner Interview**

Applicant would like to thank Examiner Juntima for conducting a telephone interview with Applicants' representative on August 24, 2009. During the interview, Examiner Juntima and Applicant's representative discussed the independent claims, the applied reference(s), and the grounds of rejection. The substance of the interview is reflected by the foregoing amendments and the following remarks.

### **Objections to the Claims**

Claims 1, 6, 10 and 15 stand objected to based on informalities. The claims have been amended to correct the informalities. Accordingly, Applicant respectfully requests that the objections be removed.

### **Allowable Subject Matter**

Claims 8 and 9 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### **Claim Rejections - 35 U.S.C. § 102 and § 103**

Claims 1, 2, 6, 15 and 19 stand rejected under 35 U.S.C. § 102(e) as being anticipated by United States Publication No. 2003/0108038 to Devanagondi et al.

(hereinafter “Devanagondi”). Applicant respectfully traverses the rejection, and requests reconsideration and withdrawal of the anticipation rejection.

Claims 10 and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over an art of record, European Patent No. 0852448 to Korpela (hereinafter “Korpela”) in view of United States Publication No. 2003/0108038 to Devanagondi et al. (hereinafter “Devanagondi”). Applicant respectfully traverses the rejection, and requests reconsideration and withdrawal of the rejection.

Claims 11 and 12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over an art of record, European Patent No. 0852448 A1 to Korpela (hereinafter “Korpela”) in view of United States Publication No. 2003/0108038 to Devanagondi et al. (hereinafter “Devanagondi”) and further in view of an art of record, United States Patent No. 7,184,722 to Johnson et al. (hereinafter “Johnson”). Applicant respectfully traverses the rejection, and requests reconsideration and withdrawal of the rejection.

Applicant has cancelled claim 8 and has incorporated the subject matter of claim 8 into amended independent claims 1, 10 and 15. Applicant requests withdrawal of the rejection with respect to the claims. Accordingly, claims 1, 10 and 15 are in condition for allowance.

Furthermore, if an independent claim is not anticipated and non-obvious, then any claim depending therefrom is not anticipated and non-obvious. Accordingly, Applicant respectfully requests withdrawal of the rejections with respect to claims 2, 6, 9, 11-12, 14 and 19 that depend from claims 1, 10 and 15, and therefore contain additional features that further distinguish these claims from the cited references. Accordingly, claims 2, 6, 9, 11-12, 14 and 19 are in condition for allowance.

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**Conclusion**

It is believed that claims 1, 2, 6, 9-12, 14, 15 and 19 are in condition for allowance. Accordingly, a timely Notice of Allowance to this effect is earnestly solicited.

Applicant does not otherwise concede, however, the correctness of the Office Action's rejection with respect to any of the limitations of the independent claims and dependent claims discussed above. Accordingly, Applicant hereby reserves the right to make additional arguments as may be necessary to further distinguish the claims from the cited references, taken alone or in combination, based on additional features contained in the independent or dependent claims that were not discussed above. A detailed discussion of these differences is believed to be unnecessary at this time in view of the basic differences in the independent claims pointed out above.

The Examiner is invited to contact the undersigned to discuss any matter concerning this application.

The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. § 1.16 or § 1.17 to the Deposit Account No. 50-4238.

Respectfully submitted,

KACVINSKY LLC

/Rebecca M. Bachner/

Rebecca M. Bachner, Reg. No. 54,865  
Under 37 CFR 1.34(a)

Dated: August 26, 2009

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